

STATE BUDGET AND CONTROL BOARD

BLUE AGENDA

MEETING OF January 31, 2008

ITEM NUMBER 7

AGENCY: Division of Insurance and Grant Services

SUBJECT: Expenditure from Barnwell County Economic Development Fund

The Barnwell County Economic Development Fund (BEDF) was established in July 2000 with a \$12 million payment to Barnwell County from Connecticut and New Jersey as an incentive for South Carolina's membership in the Atlantic Compact.

In accordance with Section 48-46-60(A)(5)(a) of the South Carolina Code of Laws, the Barnwell County Council requests Budget and Control Board approval of \$100,000 from the BEDF as funding for infrastructure improvements of the Williston Waste Water Treatment Plant. The improvements consist of a liner replacement for Cell No. 1 of the waste water treatment plant.

BOARD ACTION REQUESTED:

Approve disbursement from the Barnwell County Economic Development Fund of \$100,000 for infrastructure improvements of the Williston Waste Water Treatment Plant.

ATTACHMENTS:

Agenda item worksheet; Letter from Barnwell County Administrator, Pickens Williams, Jr. requesting release of BEDF funds; SC Code of Laws Section 48-46-60(A) (5) (a)

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: January 29, 2008

Blue Agenda

1. Submitted by:

- (a) Agency: Division of Insurance and Grant Services
(b) Authorized Official Signature:


Thomas Lucht, Director

2. Subject: Expenditure from Barnwell County Economic Development Fund

3. Summary Background Information:

The Barnwell County Economic Development Fund (BEDF) was established in July 2000 with a \$12 million payment to Barnwell County from Connecticut and New Jersey as an incentive for South Carolina's membership in the Atlantic Compact.

In accordance with Section 48-46-60(A)(5)(a) of the South Carolina Code of Laws, the Barnwell County Council requests Budget and Control Board approval of \$100,000 from the BEDF as funding for infrastructure improvements of the Williston Waste Water Treatment Plant. The improvements consist of a liner replacement for Cell No. 1 of the waste water treatment plant.

4. What is Board asked to do? Approve disbursement from the Barnwell County Economic Development Fund of \$100,000 for infrastructure improvements of the Williston Waste Water Treatment Plant.

5. What is recommendation of Board Division involved? Approve disbursement from the Barnwell County Economic Development Fund of \$100,000 for infrastructure improvements of the Williston Waste Water Treatment Plant.

6. Recommendation of other Division/Agency (as required)?

- (a) Authorized Signature: _____
(b) Division/Agency Name: _____

7. List of Supporting Documents:

- a. A letter from Barnwell County Administrator, Pickens Williams, Jr. requesting release of BEDF funds
b. SC Code of Laws Section 48-46-60(A) (5) (a)

Attachment A: Request Letter

Rx Date/Time

NOV-26-2007(MON) 10:49

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P.001

FAX NO. :8035411104

Nov. 26 2007 09:45AM P1



Fax (803) 541-1104

Barnwell County Administration

County Administration Building

57 Wall Street

Barnwell, SC 29812

Phone (803) 541-1000

Pickens Williams, Jr.

County Administrator

Nico Aguilar, III

Deputy Administrator

Hebra B. Pickling, CSC

Admin. Asst.

November 8, 2007

Frank Fusco, Director
State Budget and Control Board
612 Hampton Building
Columbia, SC 29211

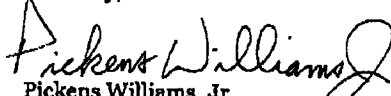
Dear Mr. Fusco:

Enclosed is a request for the release of \$100,000 from the Barnwell County Economic Development Fund for the attached project.

At their November 6th meeting, Barnwell County Council approved this request and will appreciate your placing this item on the agenda for the consideration of the Budget and Control Board at their next meeting. Since we would like to have representatives at the meeting to answer potential questions, I will appreciate your letting me know of the date and time.

Thank you for your assistance.

Sincerely,


Pickens Williams, Jr.
Barnwell County Administrator

PWJ:df

Attachment

c: Barnwell County Council
Nico Aguilar
Cedric Grant
Wendy Gibson

Attachment B: Statutory Provisions

Provisions of South Carolina Code of Laws Pertaining to the Barnwell County Economic Development Fund

Section 48-46-60. (A) The Governor and the board are authorized to take such actions as are necessary to join the Atlantic Compact including, but not limited to, petitioning the Compact Commission for membership and participating in any and all rulemaking processes. South Carolina's membership in the Atlantic Compact pursuant to this chapter is effective July 1, 2000, if by that date the Governor certifies to the General Assembly that the Compact Commission has taken each of the actions specified below. If the Compact Commission by July 1, 2000, has not taken each of the actions specified below, then South Carolina's membership shall become effective as soon thereafter as the Governor certifies that the Atlantic Compact Commission has taken these actions:

...

(5) adopted a binding regulation, policy, or order officially designating South Carolina as a volunteer host state for the region's disposal facility, contingent upon South Carolina's membership in the compact, in accordance with Article V.b.1. of the Atlantic Compact, thereby authorizing the following compensation and incentives to South Carolina:

(a) agreement, as evidenced in a policy, regulation, or order that the compact commission will issue a payment of twelve million dollars to the State of South Carolina. Before issuing the twelve million-dollar payment, the compact commission will deduct and retain from this amount seventy thousand dollars, which will be credited as full payment of South Carolina's membership dues in the Atlantic Compact. The remainder of the twelve million-dollar payment must be credited to an account in the State Treasurer's office, separate and distinct from the fund, styled 'Barnwell Economic Development Fund'. This fund, and earnings on this fund which must be credited to the fund, may only be expended for purposes of economic development in the Barnwell County area including, but not limited to, projects of the Barnwell County Economic Development Corporation and projects of the Tri-County alliance which includes Barnwell, Bamberg, and Allendale Counties and projects in the Williston area of Aiken County. Economic development includes, but is not limited to, industrial recruitment, infrastructure construction, improvement, and expansion, and public facilities construction, improvement, and expansion. These funds must be spent according to guidelines established by the Barnwell County governing body and upon approval of the board. Expenditures must be authorized by the Barnwell County governing body and with the approval of the board. Upon approval of the Barnwell County governing body and the board, the State Treasurer shall submit the approved funds to the Barnwell County Treasurer for disbursement pursuant to the authorization;